

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

KATLYN BLASKO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 3:18-cv-00094
	)	
WAL-MART STORES, INC.,	)	
	)	
Defendant.	)	

**NOTICE AND PETITION FOR REMOVAL**

COMES NOW Defendant, Wal-Mart Stores, Inc., by counsel, pursuant to Title 28, United States Code, Section 1446, and respectfully petitions the Court as follows:

1. On January 16, 2018, Plaintiff filed a civil action in the St. Joseph County Circuit Court, Cause No. 71C01-1801-CT-000018, originally captioned *Katlyn Blasko v. Wal-Mart Stores, Inc.*. Plaintiff's Complaint alleges generally that she sustained personal injuries at a Wal-Mart store on or about November 1, 2016, due to the negligence of the Defendant.

2. The Complaint and Summons were served on the Defendant on or about January 19, 2018. A true and accurate copy of the Complaint and Summons are attached hereto as Exhibit "A" and "B" respectively.

3. The above-described action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332(a) and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441 in that jurisdiction of this action exists in this court by reason of diversity of citizenship. More specifically, the Plaintiff is a resident and citizen of St. Joseph County, Indiana, and the Defendant, Wal-Mart Stores, Inc., is

a Delaware corporation with its principal place of business located in the State of Arkansas.

4. The Defendant has filed a Notice of Filing Petition for Removal contemporaneously herewith in the St. Joseph County Circuit Court.

5. The amount in controversy in this case exceeds \$75,000.

WHEREFORE, Defendant prays that the action above now pending against it in the St. Joseph County Circuit Court, be removed therefrom to this Court forthwith, and for all other just and proper relief in the premises.

Respectfully submitted,

BARRETT McNAGNY LLP

By /s/Robert T. Keen, Jr.

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*Attorney for Defendant*

### **CERTIFICATE OF SERVICE**

I hereby certify that I have this 9<sup>th</sup> day of February, 2018, electronically filed the foregoing with the Clerk of the Court using the CM/ECF which sent notification of such filing to the following:

Edmond W. Foley, Esq.  
FOLEY & SMALL, LLP  
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*Attorney for Plaintiff*

/s/Robert T. Keen, Jr.  
Robert T. Keen, Jr.